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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/609,287	06/27/2003	Shane Harris	23311	5185

24932 7590 04/11/2005

LAUBSCHER SEVERSON  
1160 SPA RD  
SUITE 2B  
ANNAPOLIS, MD 21403

EXAMINER

ENG, GEORGE

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 04/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/609,287

Applicant(s)

HARRIS, SHANE

Examiner

George Eng

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 9/15/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement filed 9/15/2003 has been considered.

### ***Drawings***

2. The drawings were received on 10/27/2003. These drawings are acceptable.

### ***Claim Objections***

3. Claims 14-16 are objected to because of the following informalities: claims 14-16, line 1, "The system of claim 10" should be --The system of claim 13-- to be corrected. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Markowitz et al. (US PAT. 6,295,346 hereinafter Markowitz) in view of Stonehocker (US 20040111942).

Regarding claim 1, Markowitz discloses a method for notifying interested persons of an event, comprising: producing an ID number uniquely associated with an individual subscriber (col. 3 lines 33-38), generating a list of persons to be notified upon the occurrence of an event (col. 3 lines 47-55), upon the happening of an event, providing the ID number to a service provider, and contacting at least one of the persons to be notified (col. 6 lines 33-46). Markowitz differs from the claimed invention in not specifically teaching to provide the ID number at strategic public location associated with the subscriber. However, it is old and notoriously well known in the art to provide emergency information on a tag associated with a subscriber at strategic public locations in order to allow other people to get help more quickly in a critical situation, for example see Stonehocker ([0006] and [0041-0046]). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Markowitz in providing the ID number at strategic public location associated with the subscriber, as per teaching of Stonehocker, because it allows other people to get help more quickly in a critical situation.

Regarding claims 2-5, Stonehocker teaches the emergency tag capable of attaching to various articles, including car seat, purse, luggage, etc, so that one skill in the art would recognize Stonehocker teaching to place the ID on the subscriber's vehicle, the subscriber's home, the subscriber's key ring, or the subscriber's wallet.

Regarding claim 6, Stonehocker teaches the emergency information being designed specifically for an individual with reduced ability to communicate or unable to identify themselves either verbally or in writing ([0006]) so that one skill in the art would recognize

Art Unit: 2643

Stonehocker teaching to provide the ID to the service provider by a person who is a stranger to the subscriber.

Regarding claims 7-8, Markowitz teaches to provide information about the event to the service provider and to provide information about the event to the person to be notified (col. 3 line 22 through col. 4 line 45).

Regarding claims 9-10, Markowitz teaches to contact the person by telephone or email (col. 7 lines 35-41).

Regarding claim 11, Markowitz teaches to provide information about persons to be notified into a web secure database by the subscriber (col. 5 lines 8-13).

Regarding claim 12, Markowitz teaches to provide information about persons to be notified into a database by a service provider representative (col. 1 lines 64-65).

Regarding claim 13, the limitations of the claim are rejected as the same reasons as set forth in claim 1.

Regarding claim 14, the limitations of the claim are rejected as the same reasons as set forth in claim 11.

Regarding claim 15, the limitations of the claim are rejected as the same reasons as set forth in claims 2-5.

Regarding claim 16, Stonehocker teaches the tag capable of attaching to various articles so that one skill in the art would recognize the tag being an adhesive sticker ([0039] and [0046]).

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Muguerza (US 2004/0159028) discloses to engrave emergency information on metallic tags adhered to external surfaces for providing emergency contacts even if a wearer is unconscious (abstract).

Dinges (US 2004/0069673) discloses a medical alert sticker for providing information from an individual (abstract).

Gehlot et al. (US PAT 6,641,038) discloses a registration plate having an emergency message region for displaying emergency message entered by a subscriber for allowing other motorists or pedestrians to get help more quickly in a critical situation (col. 4 line 55 through col. 6 line 12).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is (571) 272-7495. The examiner can normally be reached on Tue-Fri 7:30 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2643

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "George Eng". The signature is fluid and cursive, with the first name "George" and last name "Eng" clearly distinguishable.

George Eng  
Primary Examiner  
Art Unit 2643